



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Serial No.: 10/507,299

Confirmation No. 4909

In re Application of:

Art Unit: 1756

MASASHI YASUMATSU, *et al.*

Examiner: Janis L. Dote

Filed: September 10, 2004

For: CHARGE CONTROL AGENT AND TONER FOR ELECTROSTATIC IMAGE DEVELOPMENT
CONTAINING THE SAME

U.S. PATENT & TRADEMARK OFFICE
Customer Window - Mail Stop AF
Randolph Building
401 Dulany Street
Alexandria, VA 22314

DECLARATION UNDER 37 CFR 1.132

I, Masashi Yasumatsu, declare:

1. I am employed by Orient Chemical Industries, Ltd., Osaka, Japan.
2. I believe that I am an original co-inventor of the subject matter which is claimed and for which a patent is sought on the above-captioned application, the specification of which was filed on September 10, 2004, as Application Serial No. 10/507,299, naming me, Toshihiro Urakawa, and Akihiro Tada as inventors and claiming benefit from PCT Application No. PCT/JP03/03252, filed on March 18, 2003, which in turn claims priority to Japanese Patent Application 2002-081513, filed March 22, 2002.
3. I have reviewed the Office Action dated May 11, 2007 issued in this application. In this Office Action, the February 13, 2007 amendment to the specification (paragraph beginning page

6, line 15) was objected to for introducing new matter because the percentages previously disclosed were not described as weight percentages.

4. The originally filed specification was intended to refer to "weight" percentages, not simply percentages. As the first-named inventor, that is what I intended to describe.

5. Furthermore, one of ordinary skill in the art would have appreciated that references to percentages were intended as references to "weight" percentages

6. Therefore, according to my understanding of "new matter," the amendment to the specification paragraph beginning at page 6, line 15, is not "new matter."

7. All statements made herein of my knowledge are true and all statements made on information and belief are believed to be true; and further these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patents issued thereon.

Date: 2007 Aug 1

Masashi Yasumatsu
Masashi Yasumatsu